

Please be advised that the Board only takes 16 new cases a month, therefore, first come, first served. Please be advised that a request for reconsideration must be filed within 7 days from the Board meeting.

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE #

ROW #

C15-2011-0018

10549405

CITY OF AUSTIN

APPLICATION TO BOARD OF ADJUSTMENT

GENERAL VARIANCE/PARKING VARIANCE

TP-0126060715

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

WAR  
NING

: Filing of this appeal stops all affected construction activity.

STREET ADDRESS: 3409 Mount Barker

LEGAL DESCRIPTION: Subdivision – LOT 21 BLK Y BALCONES PARK SEC 8

Lot(s)            Block            Outlot            Division           

I/We David Cancialosi on behalf of myself/ourselves as authorized agent for

Remi Barbier affirm that on Jan 25, 2011,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

   x ERECT    ATTACH    COMPLETE    REMODEL    MAINTAIN

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

(zoning district) SF-3

25-2-492(D) encroach into 15' street side yard setback

2' from side  
Street p.l.

**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The subject site is a corner lot with an existing grade that increases in height as it approaches the 15' street side yard setback. The attached garage and interior residential space facing the intersecting street, Monte Vista Dr., flood when the area experiences mild to heavy rain events. Monte Vista Dr. rises at a significant incline as you travel on Monte Vista Dr. from the intersection of Monte Vista and Mount Barker Drives..

The property owner is unable to keep the garage and interior residential areas closest to the 15' street side yard dry due to their existing finished floor elevations (FFE). The lot is not within an identified floodplain area. However, the owner has installed drainage mitigation in the form of a rock overflow area adjacent to the driveway, a concrete riser designed to steer drainage away from the garage and into the rock basin, and a metal grate to catch any overflow. None of these techniques have been successful in mitigating drainage from the adjacent right-of-way onto the subject site.

The existing garage is 14.2' from the property line at its closest point. The variance request is to allow a 13' encroachment (2' setback) at the garage's closest point, leaving 10' ROW section for the driveway apron. The proposed structure will maintain the same foundation line along Monte Vista Dr. Thus, the line of encroachment will decrease as the structure moves in a west direction, toward the existing masonry wall that sits on the property line.

The owner is requesting to raise the garage and adjacent interior FFE approximately 2' - 3', extending part of the structure to the property line. This is necessary in order to create a slight uphill grade when entering the site via the driveway. The new FFE will allow drainage runoff to disperse in an even manner. The homeowner is unable to maintain a reasonable use of the property due to the drainage associated with the lot topography and intersecting right-of-way elevations.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

COA topo maps reflect an elevation of about 795 MSL adjacent to the garage. At the top of Monte Vista Dr., the approximate elevations range between 802 MSL and 810 MSL, causing significant downhill drainage accumulating at the subject

site. Drainage runoff enters the property via the driveway, floods the garage by over running the driveway, and current drainage mitigation features are not stopping the runoff from flooding the garage and attached residential areas. This does not appear to be an issue for adjacent properties.

(b) The hardship is not general to the area in which the property is located because:

The lot's topography effects the driveway apron placement. As such, the lot and apron rise toward the 15' street side yard setback (toward Monte Vista Dr.). This feature encourages the higher portion of the lot to capture a significant portion of drainage running downhill on adjacent right-of-way (Monte Vista Dr.). The subject site's topography is such that it varies as much as 6-8' from Monte Vista Dr. to the opposite interior lot line.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The proposed addition's exterior will be in keeping with the existing structure and surrounding neighborhood aesthetics. The addition will be no closer to the property line then the existing masonry wall. As the addition's footprint continues along the street side setback, the line of encroachment will decrease. The addition will not violate code requirements regarding line of site issues on corner lots - allowing vehicle, bicycle, and pedestrian traffic to maintain clear visibility when approaching the aforementioned intersection.

**PARKING:** (Additional criteria for parking variances only.) \*\*N/A\*\*

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

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2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

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**NOTE:** The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly

**APPLICANT  
CERTIFICATE**

**CATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed

Mail Address

DC  
PO Box 153098  
Austin TX 78715-3098

Printed

Phone Date

DAVID CANCIARLOSI  
799 2401 1/25/11

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

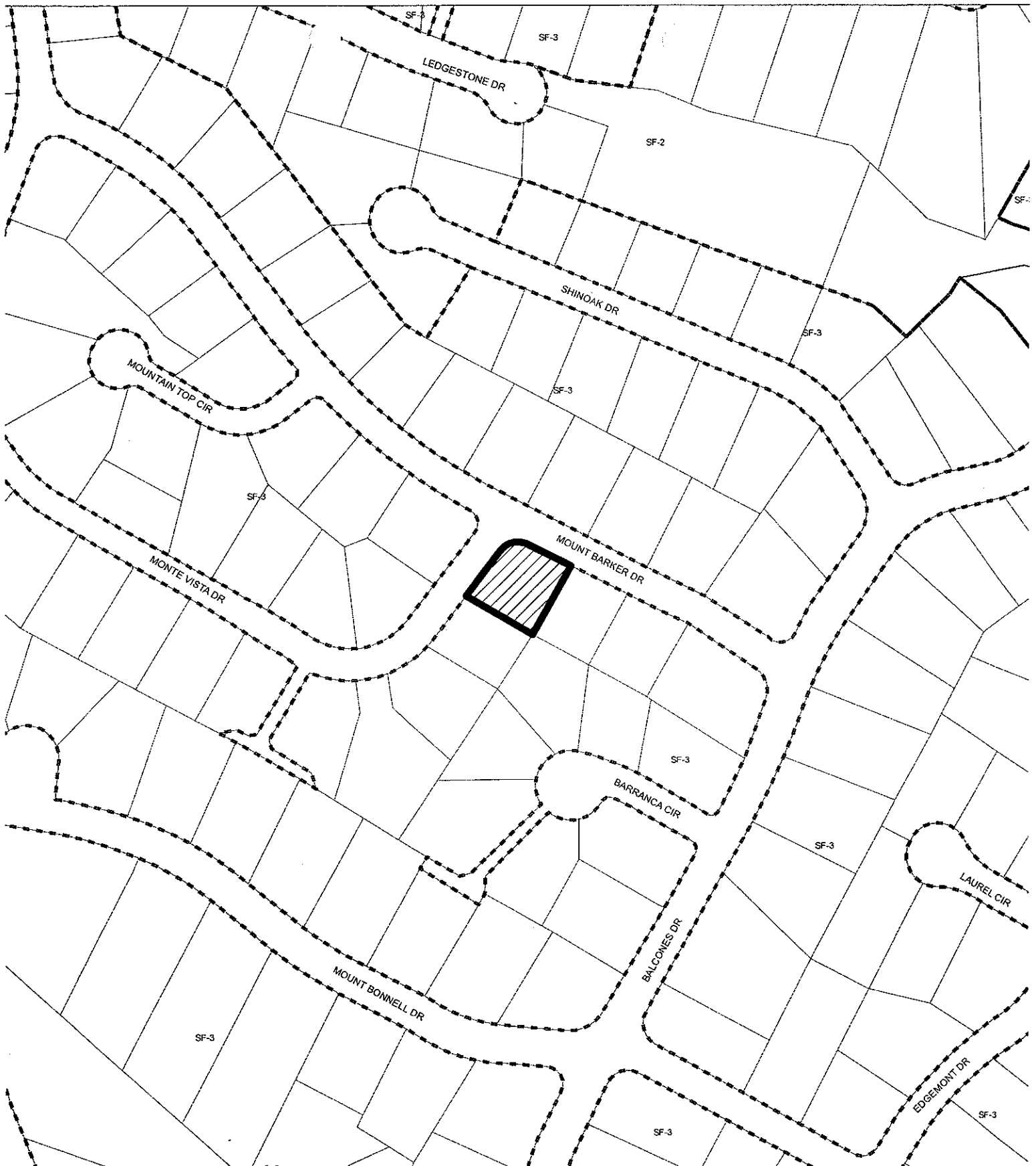
Signed:

Remi Barbier  
Mail Address: 3409 Mount Barker Drive, Austin, TX 78731

Print Name : Remi Barbier

Phone: 512-574-4237

Date: January 25, 2011



## BOARD OF ADJUSTMENTS

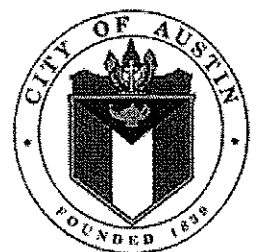
CASE#: C15-2011-0018  
 LOCATION: 3409 MOUNT BARKER DR.  
 GRID: H27  
 MANAGER: SUSAN WALKER



SUBJECT TRACT



ZONING BOUNDARY



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

# Site Area

A: 13,328.44 sq ft

Existing Overhead Electrical  
to be upgraded and replaced  
with underground service

Extending Building Cover  
A: 3,061.08 sq ft

Existing Pool Deck and Paving  
A: 1,992.00 sq ft

Existing Sidewalk  
A: 185.30 sq ft

Existing Water  
Meter To Remain

Pool and Jacuzzi  
Existing Brick Site Wall

N 57° 09' 05" W 118.61'

5' P.U.E.

15' Building Line

N 38° 32' 20" E 90.15'

Monte Vista Drive

Existing  
Driveway Apron

Existing two car  
garage

⊕

N 16° 39' 00" E 34.62'  
CG = 45.02' R = 34.62'

Mount Barker Drive

S 60° 10' 24" E 75.95'

25' Building Line

5' Building Line

S 32° 06' 46" W 125.17'

Existing  
Two Story  
House



NORTH

1" = 20'; 1/31/11 3:41 PM; Existing Site Plan

**ONE STOP SHOP**  
**505 Barton Springs**  
**Austin, Texas 78701**  
(512) 974-2632 phone  
(512) 974-9112 phone  
(512) 974-9779 fax  
(512) 974-9109 fax



**Austin Energy**  
**Electric Service Planning Application (ESPA)**  
**For Residential and Commercial "SERVICE ONLY"**  
**Under 350 amps 1 $\phi$  or 225 amps 3 $\phi$**

☐ Check this box if  
this is for a  
building permit  
only.

(Please print or type. Fields left blank will be considered Not Applicable.)

Responsible Person for Service Request <u>Remi Barber</u>		Phone _____
Email _____		Fax _____
Project Name _____	<input type="checkbox"/> New Construction <input type="checkbox"/> Remodeling	
Project Address <u>3409 Mt. Barber</u>		OR
Legal Description _____	Lot _____	Block _____
Requested Service Duration: <input checked="" type="checkbox"/> Permanent Service <input type="checkbox"/> Construction Power/Temp Service (Usually less than 24 months)		
Who is your electrical service provider? <input checked="" type="checkbox"/> AE <input type="checkbox"/> Other _____		

<input type="checkbox"/> Overhead or <input type="checkbox"/> Underground	Voltage _____	<input type="checkbox"/> Single-phase (1 $\phi$ ) or <input type="checkbox"/> Three-phase (3 $\phi$ )
Service Main Size(s) _____ (amps)		Number of Meters? _____
AE Service Length _____ (ft.)	Conductor _____ (type & size)	
SqFt Per Unit _____	# Units _____	<input type="checkbox"/> All Electric <input type="checkbox"/> Gas & Electric <input type="checkbox"/> Other _____
Total AC Load _____ (Tons)	Largest AC unit _____ (Tons)	
LRA (Locked Rotor Amps) of Largest AC Unit _____ (Amps)		
Electric Heating _____ (kW)	Other _____ (kW)	

Comments: for BOA request to allow garage addition to  
encroach into 15' side street setback

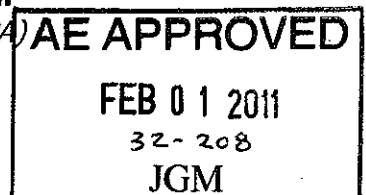
ESPA Completed by (Signature & Print name) [Signature] Daniel Canabari Date 2/1/11 Phone 799 2961

Approved: ☐ Yes ☐ No (Remarks on back) \_\_\_\_\_  
AE Representative \_\_\_\_\_ Date \_\_\_\_\_ Phone \_\_\_\_\_

**Application expires 180 days after date of Approval**  
(Any change to the above information requires a new ESPA)

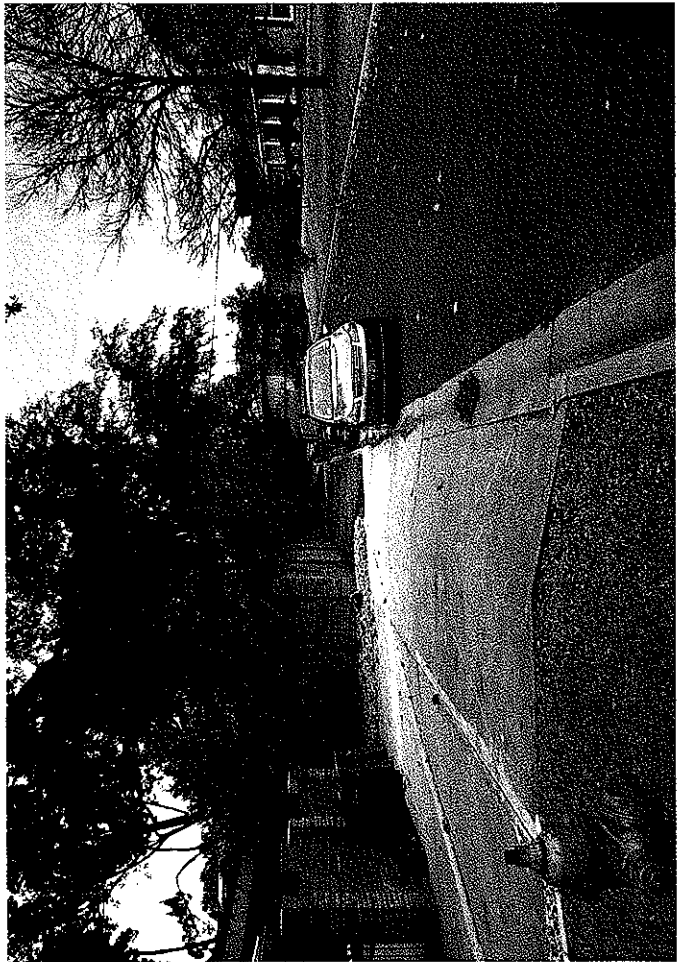
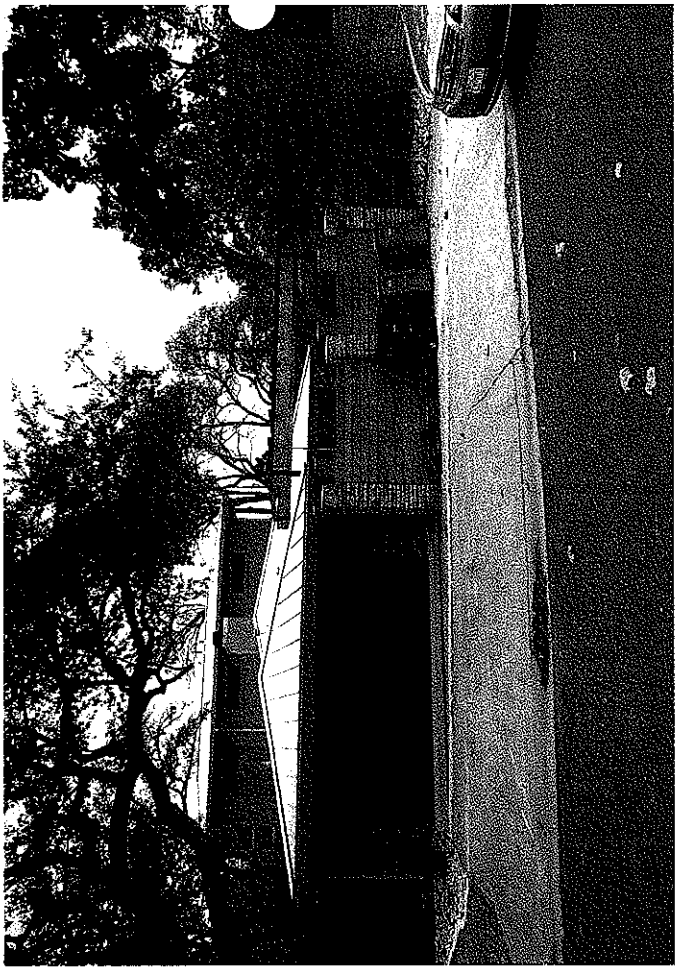
Version 1.1.0.0

All structures etc. must maintain 7'5"  
clearance from AE energized power  
lines. Enforced by AE & NESC codes.



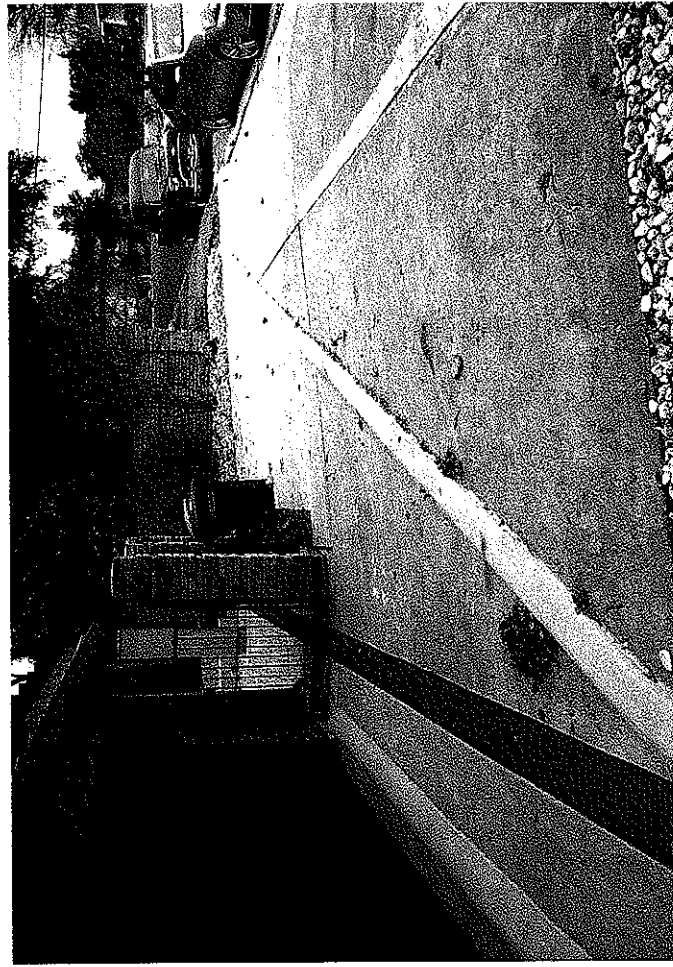
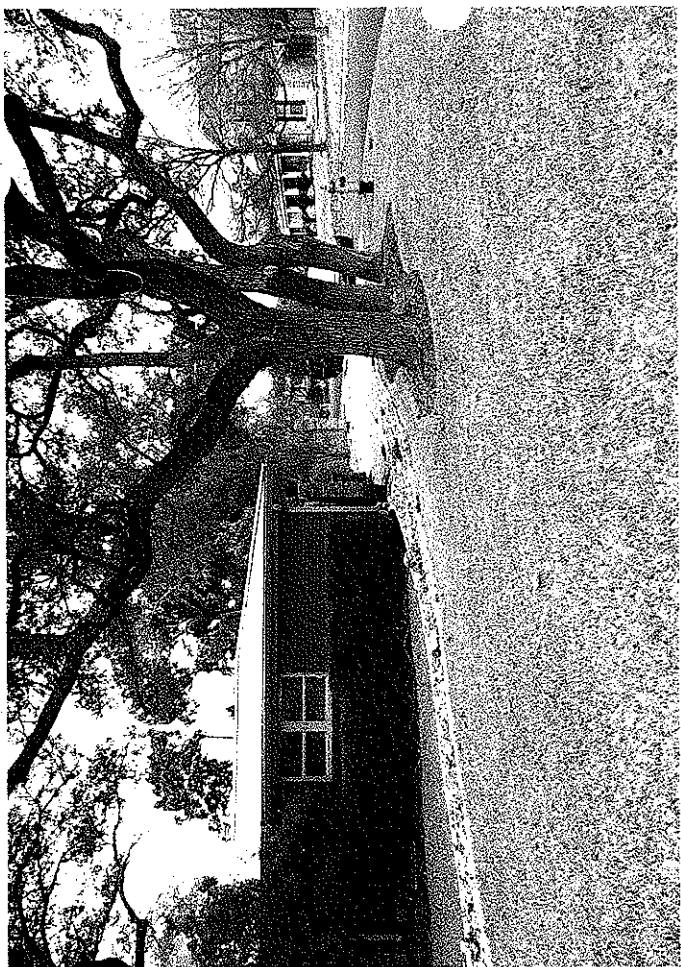


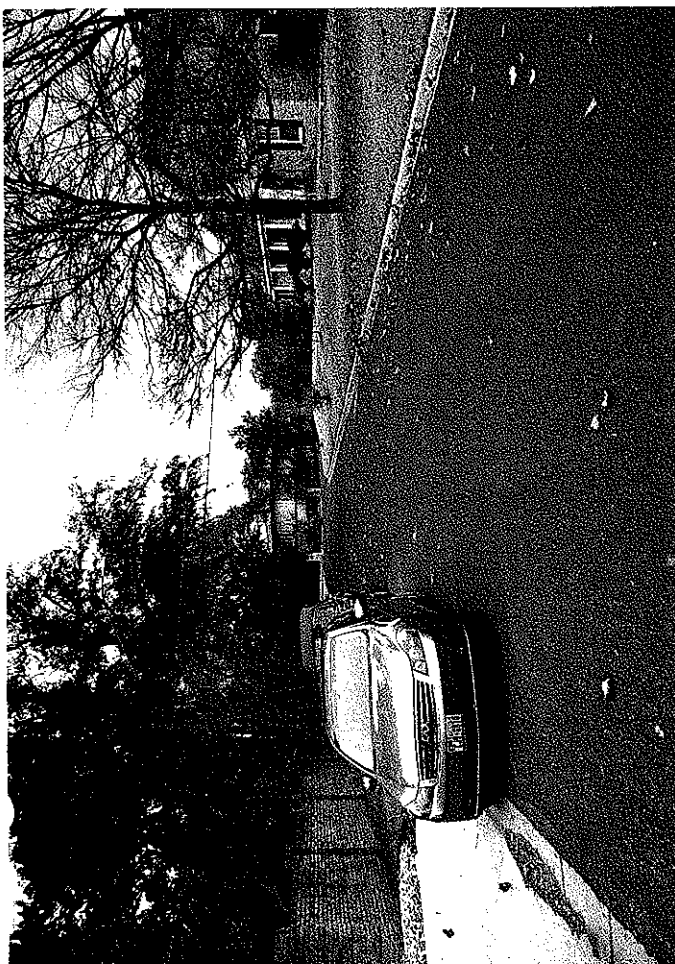
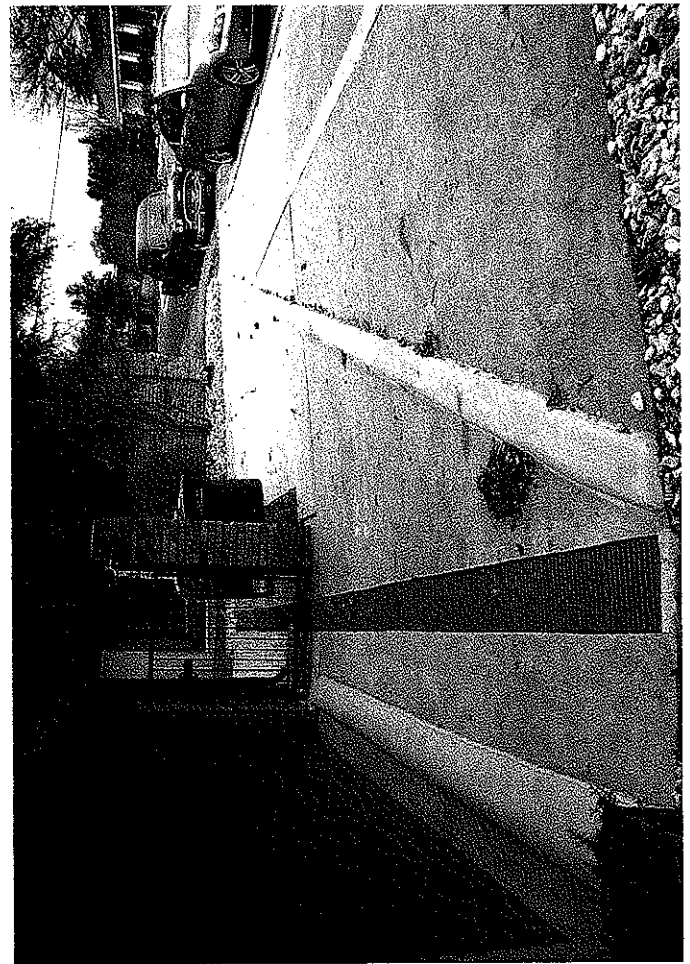
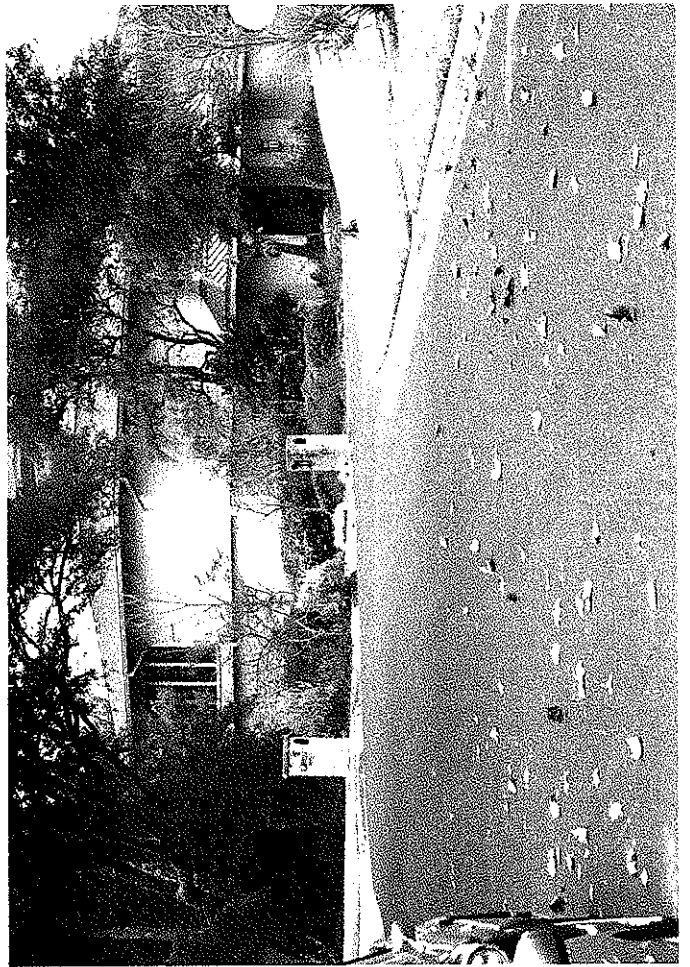






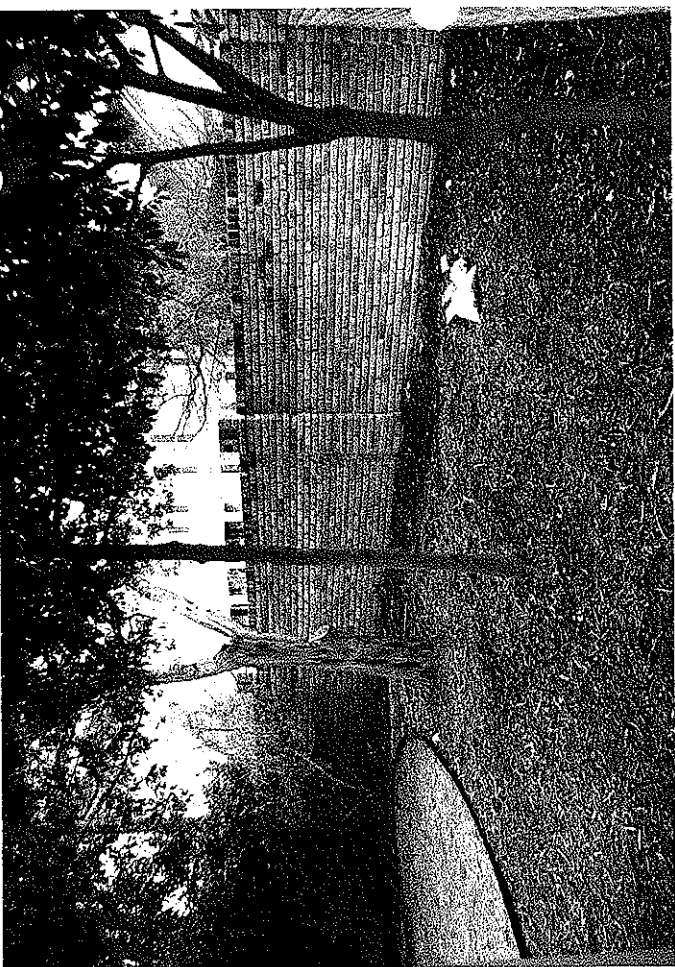
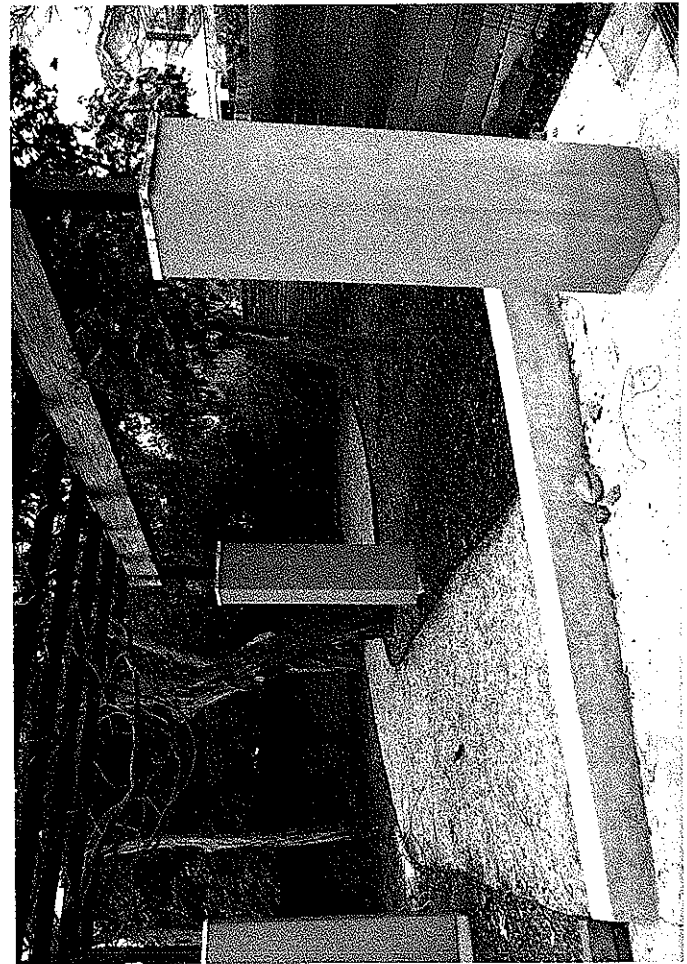
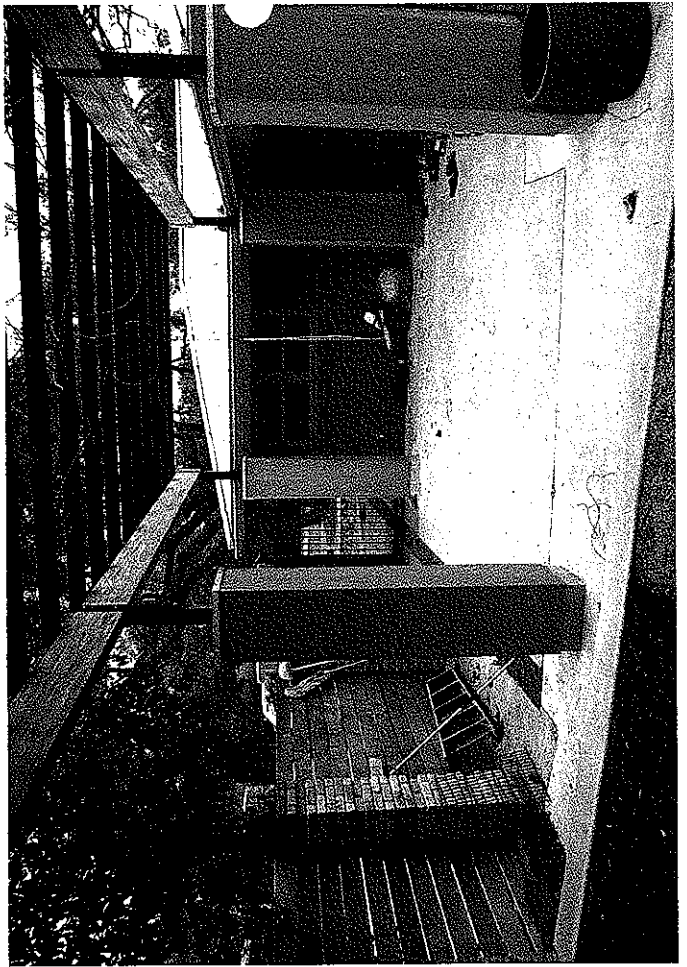


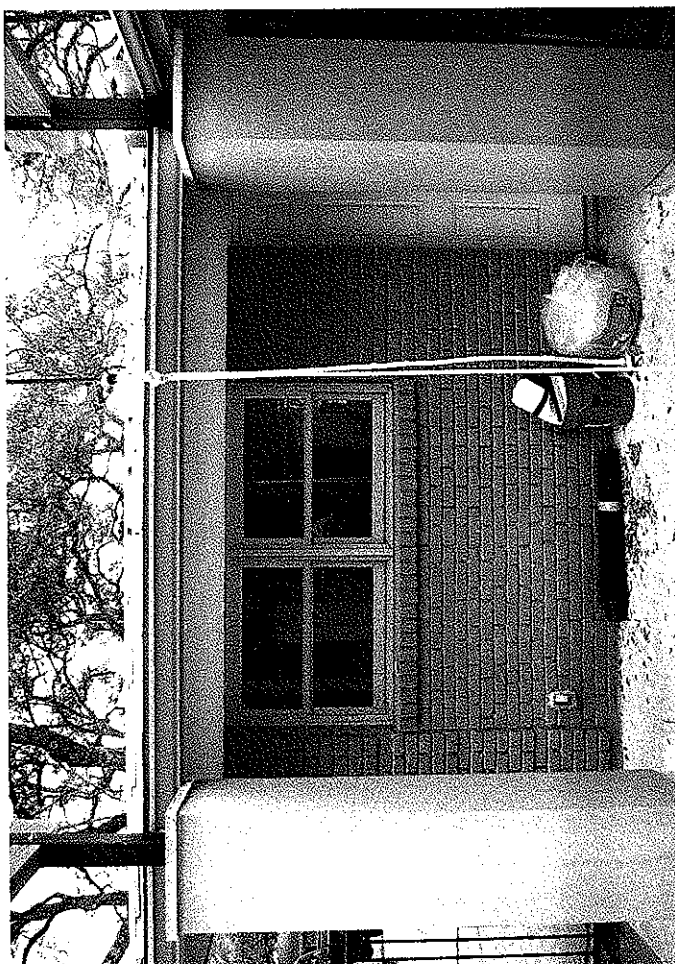














DEVELOPMENT WEBMAP

3409 MOUNT BAKER DR

0.1 Miles

Scale

Legend

Layers

Tools

Help

Home

Print

Full Screen

Close

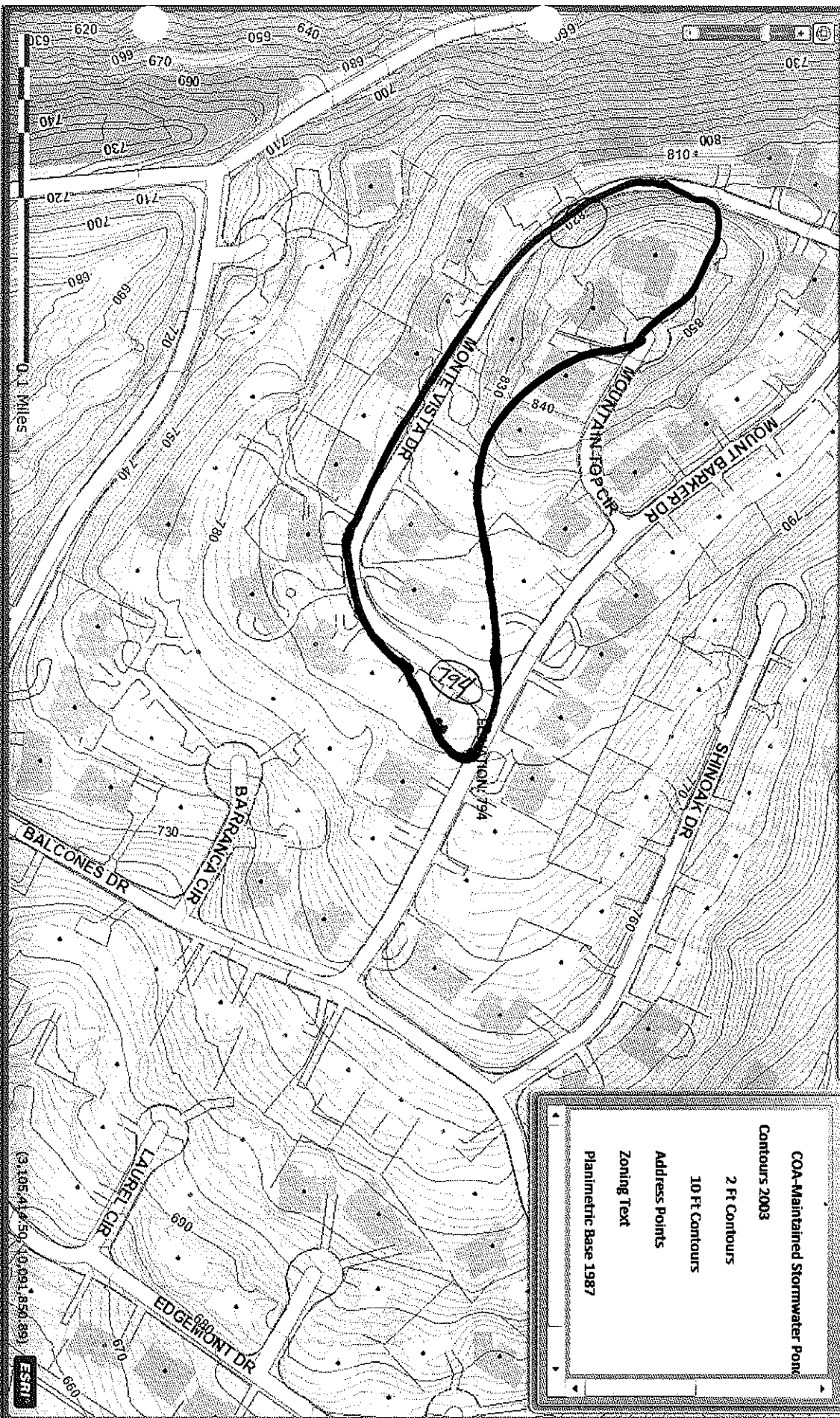
Search

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Tools

Help



COA-Maintained Stormwater Ponds  
Contours 2003  
2 Ft Contours  
10 Ft Contours  
Address Points  
Zoning Text  
Planimetric Base 1987

(3105, 414, 50, 10, 091, 850, 89)

